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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY_____ DEPUTY

Chad McKinney
Pro Se
6266 Madeline St Apt #61
San Diego, CA 92115
619-634-3566

THE UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA

CHAD MCKINNEY, an individual,	) CIV. Case No.07-cv-2373
	)
	) FOR VIOLATION OF FEDERAL
	) FALSE CLAIMS ACT AND FOR
	) VIOLATION OF THE
	) THE CIVIL RIGHTS ACT 1964 AND
	) THE AMENDMENTS TO TITLE
	) VII OF THE CIVIL RIGHTS ACT OF
	) 1991
Plaintiff,	)
	)
	)
	) RETALIATION- WRONGFUL
	) TERMINATION &
	) EMPLOYENT DISCRIMINATION
	) CIVIL ACTION
	)
v.	)
	)
	) **Memorandum of Points and**
	) **Authorities in Support of Plaintiff's**
APOLLO GROUP INC., UNIVERSITY OF	) **Motion for Default Judgment**
PHOENIX , a Corporation, MECHELLE	)
BONILLA, an Enrollment Manager at	)
UNIVERSITY OF PHOENIX, KYAN	)
FLYNN, Director of Enrollment at	)
UNIVERSITY OF PHOENIX, APRIL	)
ALCORN, an Employee Relations	)
Consultant at UNIVERSITY OF PHOENIX	) Demand for Trial By Jury Pursuant
CARLYN LINDSTEN, Associate Director of	) to U.S. Constitution, 7th Amendment
Enrollment at UNIVERSITY OF PHOENIX	)
	) February 29, 2008
	)
Defendants	)

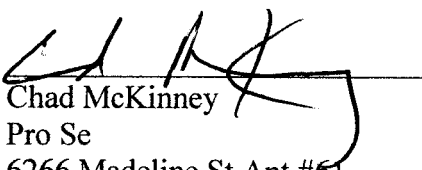## PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT

Pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, and any other relevant Federal Rule of Civil Procedure pertaining to this case, plaintiff Chad McKinney, Pro Se, respectfully moves the Court to enter a default judgment against the defendant Apollo Group Inc, a.k.a. the University of Phoenix, in the amount of $250,000 since the Defendant has failed to plead or otherwise defend themselves against the plaintiff's original complaint within the timeframe required by the Federal Rules of Civil procedure. The Complaint was originally filed with the Court on December 19th 2007 and entered December 20th. The defendant was served on January 31st, 2008. (Please see copy of Return of Service).

In support of this motion, the Plaintiff states with supporting evidence:

1. This complaint was filed on December 19, 2007

2. This complaint was served on January 31, 2008

3. As of the 28st of February 2008, the Defendant is late 8 days.

4. The plaintiff's complaint requests punitive damages of $250,000, so a default judgment in this amount should be deemed reasonable.

5. Said defendant is not an infant or incompetent, but a large corporation who was given ample time to respond within the timeframe required by the Federal Rules of Civil Procedure. No extra time was requested by the defendant nor granted by the Court.

1   WHEREFORE, the Plaintiff respectfully request that this Court issue and Order a Default

2   Judgment against the Defendant in the amount of $250,000 to reasonably cover the damages

3   incurred by the plaintiff.

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5   **Respectfully submitted,**

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